



**SHREWSBURY CONSERVATION COMMISSION  
SHREWSBURY, MASSACHUSETTS**

**MINUTES**

Regular Meeting: Tuesday, June 17, 2003 - 7:00 P.M.

Location: Selectmen's Meeting Room - Municipal Office Building

**Present:** John J. Ostrosky, Chairman  
Robert P. Jacques, Vice-Chairman  
Patricia M. Banks  
Kenneth F. Polito

**Also Present:** Brad Stone, Agent

**Absent:** Dorbert A. Thomas, Clerk  
John D. Perreault, Town Engineer

Mr. Ostrosky opened the meeting at 7:00 P.M.

**1. Review and Approve Minutes**

The Conservation Commission noted that Minutes from past meetings are still being worked on.

**2. Signed bills.**

**3. Meetings and Hearings – 7:05 P.M.**

*Mr. Ostrosky announced that the SSR Realty hearing and the WBDC hearing are continued to June 24, 2003, at 5:00 P.M.*

**285-1211      Public Hearing regarding the Notice of Intent filed by Summit Ridge Estates, Inc.  
for the construction of a 54 lot subdivision at Summit Ridge Estates, Gulf Street**

Attending the hearing were Kelly Doyle and Kelly Killeen from Coler and Colantonio; and Dave Parmenter, the builder.

Ms. Doyle submitted a notice stating an ENR is not required.

Ms. Doyle said the temporary work has been reduced. She said a castle block retaining wall will be used and will reduce the temporary work area to be disturbed.

Ms. Doyle said approximately 5,856 sq. ft. of area will be disturbed, and they are proposing approximately 7,500 sq. ft. of wetland replication area, and a 10 foot wide access around all detention ponds.

Ms. Doyle reviewed the comment letter from Engineering, and the phasing plan was discussed.

Mr. Parmenter suggested that instead of a certain timeframe being established, a condition stating that lots have to be stabilized, because depending on the season, some lots can be stabilized quicker in different seasons. He commented that building lots are market driven.

Mr. Jacques commented he would still like to see a phasing plan presented for the Commission's review. The Commission felt that the work might be done in 5-lot phases, making sure all 5 lots were stabilized before moving on.

Mr. Ostrosky officially closed the hearing.

**285-1205      Public Hearing regarding the request for an Amended Order of conditions filed by Brian Fleming for the construction of a retaining wall at 15 Huntington Road**

Attending the hearing was Brian Fleming. Mr. Fleming said he came in a few months ago for an addition, then he and his neighbor decided to replace the retaining wall between their properties. He said they started work and were then notified they were working in violation of the lake. He said they are in before the Commission for an amended Order of Conditions.

Mr. Stone discussed what had gone on between the two neighbors since the Enforcement Order was issued.

Mr. Ostrosky said he could close the hearing and issue an Order of Conditions, with a condition that a land surveyor write a letter stating that the work will be on Mr. Fleming's property. Mr. Ostrosky also expressed concern that the plan does not show all the necessary details of the wall.

Mr. Ostrosky closed the hearing.

**285-1220      Public hearing regarding the Notice of Intent filed by David Zukowski and Kate Meloche for the repair of an existing retaining wall at 15 Forest Avenue**

David Zukowski and Kate Meloche, of 15 Forest Avenue, and Bob Murphy – the engineer, attended the hearing. Mr. Murphy said the railroad tie wall is rotting and they would like to repair it.

Mr. Murphy said there is no work being done in the wetlands. He said the edge of the water is the edge of the wetland. He said they want to stabilize the slope, improve the wall and the looks of it.

Mr. Ostrosky officially closed the hearing, stating that Mr. Murphy is to get a modified plan to Mr. Stone showing the haybale line.

**RDA          Public Meeting regarding the Request for Determination of Applicability filed by  
Tip Pond Corporation for the construction of a two-story office building on-site  
with two parking areas at 307 Grafton Street**

Carl Hultgren, the engineer from Quinn Engineering, attended the hearing. He said they are proposing a two-story office building with two parking areas.

Mr. Quinn reviewed the Stormwater Management Plan. He said they have added the installation of a dry well after meeting with the Planning Board. They are proposing to use erosion control measures, such as haybales, around the project.

Mr. Stone commented that GIS shows the resource area to be more on the property than appears on the plan.

The Conservation Commission felt this is a sizeable project and voted to issue a positive determination, stating a Notice of Intent needs to be filed. Mr. Quinn commented one reason they did not file a Notice of Intent was because there is a roadway between the project and the resource area.

Mr. Ostrosky officially closed the hearing.

**RDA          Public Meeting regarding the Request for Determination of Applicability filed by  
Florence Sairs for the construction of a garage and driveway at 75 Mercury Drive**

Tim Briggs, project engineer, and Leonard Sairs, of 75 Mercury Drive, attended the meeting. Mr. Briggs said this filing is for construction of a garage and driveway.

Mr. Briggs said the closest point to the wetland is 22 feet, from the corner of the garage to the wetland edge. There will be no filling and excavated material will be taken off-site.

Mr. Stone asked why they filed a Determination of Applicability. Mr. Briggs stated there will be disturbance to the buffer zone, but the area is flat.

Mr. Ostrosky officially closed the hearing.

The Commission voted to issue a positive determination because of the location of the project and closeness to the wetland.

**285-1222      Public Hearing regarding the Notice of Intent filed by Signature Homes for the  
construction of a single family home at Lot 2 Walnut Street, Shrewsbury  
Assessor's Plate 30, Plot 135-21**

David Sadowski – the engineer from Seltec Engineering, attended the hearing. He said they decided that rather than doing a wetland crossing and put the house on the hill, they are proposing construction of a single family home that would be 37 feet from the wetland area.

Mr. Ostrosky officially closed the hearing, stating Mr. Sadowski needs to submit an amended plan and get it to Mr. Stone.

**285-1223    Public Hearing regarding the Notice of Intent filed by Stephen Flynn for the construction of a single family home addition at 23 Nelson Point Road**

Stephen Flynn, of 23 Nelson Point Road, and David Sadowski – the engineer from Seltec Engineering, attended the hearing. Mr. Sadowski stated they are proposing to put a haybale line along the level portion of land along the project for the addition to the existing single family home.

Mr. Ostrosky officially closed the hearing.

**285-1225    Public Hearing regarding the Notice of Intent filed by Paul J. Sheehy, Esq. for the construction of two single family residences at 449 Walnut Street**

Paul J. Sheehy, Esq. and Attorney Jack Collins, representing Atty. Sheehy, attended the hearing. Attorney Collins stated they want to build two single family homes at 449 Walnut Street. He said the closest part of the first house is 43 feet from the wetland area, and the closest point of the second house is 75 feet.

Mr. Ostrosky officially closed the hearing.

**285-1226    Public Hearing regarding the Notice of Intent filed by Scott Ayers for the construction of a single family home addition at 15 Lamplighter Drive**

Scott Ayres, of 15 Lamplighter Drive, attended the hearing. Mr. Ayers said he wants to add a 24 x 32 foot addition to his existing single family home. He said the closest point to the wetland is 80 feet.

Mr. Ayres said Mr. Stone commented that a retaining wall may be needed, as they want to keep excavated material on site. The Commission agreed a retaining wall would be needed to retain excavated material. The Commission noted they would be about 40 feet away from the wetland line

Mr. Ostrosky continued the hearing to June 24, 2003.

**285-1215    Public Hearing regarding the Notice of Intent filed by Catherine and William Peters for the construction of a swimming pool at 10 Weagle Farm Road  
(and Discuss Enforcement Orders issued for the Stonybrook Farm Subdivision and 10 Weagle Farm Road)**

William and Catherine Peters, of 10 Weagle Farm Road, and Peter Bemis, project engineer from Design Consultants, attended the hearing.

Mr. Bemis said the lot was developed by Jim Brown, and the Order of Conditions was never filed at the Registry of Deeds. The lot was not developed to the approved plan. He said there was 6,165 square feet of wetland lost and suggested a replication area could be done in an upland area.

Mr. & Mrs. Peters submitted a letter to the Commission, which Catherine Peters read into the record.

Mr. Ostrosky continued the hearing to July 15, 2003.

**285-1216     Public Hearing regarding the Notice of Intent filed by Town of Shrewsbury Water and Sewer Department for the construction of a cross-country sanitary sewer utility near Shady Lane, St. James Road, Hapgood Way, Monroe Street, Richard Avenue, and Edgewood Road**

Brad Stone from the Shrewsbury Engineering Department presented the project. He said this work is basically to repair a cross-country sewer utility in a part of Shrewsbury. There is a wetland resource area near St. James Road, Richard Avenue, and Edgewood Road. He said the wetlands were flagged by EcoTech.

Dennis Doyle, 49 Richard Avenue, expressed concern about the foundation drainage (24" PVC wrapped in silt).

Mr. Ostrosky officially closed the hearing.

**285-792     Public Hearing regarding the Notice of Intent filed by the Town of Shrewsbury Police Department for the construction of a boathouse at 122 South Quinsigamond Avenue**

Wayne Sampson, Police Chief, and Mike Hale, Assistant Town Manager, attended the hearing.

Mr. Hale said the existing police boathouse is in need of repair. He said it would be demolished and a new 28 x 30 building would be constructed. The money was approved at Town Meeting. He said they need to go before the Zoning Board of Appeals.

Mr. Stone said there will be no excavation and no borings used. There was discussion of how the lake would be protected during construction. The Commission said they will include a condition that a "boom" be used to collect material.

Mr. Ostrosky officially closed the hearing.

**285-1217     Public Hearing regarding the Notice of Intent filed by Fran Zarette for the construction of a single family home, grading, driveway, and utility connection at Lot 1 Gold Street, Shrewsbury Assessor's Plate 41, Plot 30**

Fran Zarette of Land Design, and George Connors of Connorstone Engineering attended the hearing.

See notes in the Lot #3, Gold Street hearing below.

**285-1218     Public Hearing regarding the Notice of Intent filed by Fran Zarette for the construction of a single family home, grading, driveway, and utility connection at Lot 2 Gold Street, Shrewsbury Assessor's Plate 41, Plot 30**

Fran Zarette of Land Design, and George Connors of Connorstone Engineering attended the hearing.

See notes in the Lot #3, Gold Street hearing below.

**285-1219     Public Hearing regarding the Notice of Intent filed by Fran Zarette for the construction of a single family home, grading, driveway, and utility connection at Lot 3 Gold Street, Shrewsbury Assessor's Plate 41, Plot 30**

Fran Zarette of Land Design, and George Connors- the engineer from Connorstone Engineering attended the hearing. Mr. Connors said lots 1, 2 & 3 were flagged by EcoTech and Mr. Zarette did the septic design.

Mr. Connors proposed a haybale line around the project. He listed the following as the closest points to the wetland area of each lot:

- Lot #1    40 feet
- Lot #2    38½ feet
- Lot #3    30 feet

Mr. Polito suggested plantings be used to permanently delineate the wetland line.

Mr. Stone commented that the wetland flag numbers on the plan should match what's in the field.

Don Krebs, 9 Farmington Drive, expressed concern about the drop-off of the property, and questioned if the wetland flaggings were correct.

Jeannie Hebert, 53 Gold Street, expressed concern about additional run-off.

Mr. Ostrosky officially closed the hearing.

**RDA           Public Meeting regarding the Request for Determination of Applicability filed by Park Grove Realty Trust c/o Robert Cole, Esq. for the construction of a handicap ramp to an existing bandstand at Dean Park, 805 Main Street**

Attorney Robert Cole – developer at Park Grove Farm, and George Connors, of Connorstone Engineering, attended the meeting.

Attorney Cole said he is proposing to install a handicap ramp to an existing band stand at Dean Park. He said Nault Architects did the design for the ramp. He said it will be approximately a 12 x 27 concrete ramp.

Mr. Ostrosky officially closed the hearing. The Commission voted to issue a negative determination.

**Discussed the pond at the corner of Fieldstone Drive and Spring Street**

William Ballou, 2 Fieldstone Drive, Attorney Robert Cole – the developer at Park Grove Farm, and George Connors of Connorstone Engineering, attended the meeting. Attorney Cole gave an overview of what had gone on since the December 2002 storm.

Attorney Cole said he is proposing to use floc-logs, which have a life span of about 6 months. There was discussion of the aging of sedimentation at boring tests.

Mr. Polito commented that the Aulenback property should be stabilized.

Mr. Ballou submitted photos from the Memorial Day 2003 storm. He commented the Aulenback property is a contributing factor, but feels there is still flow from Park Grove.

The Commission voted to go ahead with the Enforcement Order.

**5. New Business**

**a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability**

285-1211	Summit Ridge Estates	Conditionally approved
285-1205	15 Huntington road	conditionally approved
285-1220	15 Forest Avenue	conditionally approved
RDA	307 Grafton Street	Positive determination
RDA	75 Mercury Drive	Positive determination
285-1222	Lot 2 Walnut Street	Conditionally approved
285-1223	23 Nelson Point Road	conditionally approved
285-1225	449 Walnut Street	conditionally approved
285-1226	15 Lamplighter Drive	Continued
285-1215	10 Weagle Farm Road	Continued
285-****	Town Sewer Utility	Conditionally Approved (Mr. Polito abstained)
285-792	122 S. Quinsigamond Avenue	conditionally approved
285-1217	Lot 1 Gold Street	Conditionally approved
285-1218	Lot 2 Gold Street	Conditionally approved
285-1219	Lot 3 Gold Street	Conditionally approved
RDA	Dean Park, 805 Main Street	Negative determination

**6. Old Business**

**a. Discussed/Signed Certificates of Compliance**

285-984	Lot 1 Tip Pond Road - signed
285-1065	75 Spring Street - hold
285-878	10 Weagle Farm Road (Lot 17 Stonybrook Farm) - hold
285-750	Stonybrook Farm Subdivision - hold

**b. Discussed/Signed Extension Requests**

285-1012	668 Grafton Street – voted to allow extension
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**b. Discussed/Signed Extension Requests (cont'd)**

**The Commission voted to allow a three (3) year extension for the following:**

285-802	Dorothea Estates Subdivision
285-1021	Lot 8 Dorothea Estates
285-1016	Lot 9 Dorothea Estates
285-1017	Lot 13 Dorothea Estates
285-1020	Lot 14 Dorothea Estates
285-1019	Lot 19 Dorothea Estates
285-1022	Lot 20 Dorothea Estates

**6. Correspondence**

**7. Miscellaneous (*discussions continued at the end of the meeting after the hearings*)**

**a. Discussion with Attorney David Brown and Chris Cutler, from Cutler-Brown Realty, and Peter Bemis regarding Stonybrook Farm Subdivision**

Attorney Brown said there has been activity out there in the wetland area that are not the actions of Cutler-Brown. Three issues needed to be addressed:

- 1) Amount of wetland lost
- 2) A replication plan
- 3) Who is responsible

Mr. Bemis suggested making a ledger of what was done out there. Attorney Brown said he can bring in plans of the lots and a list of what's been done.

The meeting adjourned at 11:15 pm.

Respectfully Submitted,

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*Annette W. Rebovich*